

Approved: \_\_\_\_\_

KEVIN SULLIVAN  
Assistant United States Attorney

Before: THE HONORABLE PAUL E. DAVISON  
United States Magistrate Judge  
Southern District of New York

22-MJ-02737

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	:	<b><u>SEALED COMPLAINT</u></b>
UNITED STATES OF AMERICA	:	
- v. -	:	Violations of
	:	18 U.S.C. §§ 2251(a) and
RYAN MICHAEL SHEAFE,	:	(e); 2252A(a)(5)(B) and
	:	(b)(2); and 2260A
	:	
Defendant.	:	COUNTY OF OFFENSE:
	:	ORANGE
----- X	:	

SOUTHERN DISTRICT OF NEW YORK, ss.:

KERI WALDEN, being duly sworn, deposes and says that she is a Special Agent with the U.S. Department of Homeland Security, Homeland Security Investigations ("HSI"), and charges as follows:

**COUNT ONE**  
**(Sexual Exploitation of a Child)**

1. On or about November 10, 2019, in the Southern District of New York and elsewhere, RYAN MICHAEL SHEAFE, the defendant, willfully and knowingly employed, used, persuaded, induced, enticed, and coerced a minor to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, and the defendant knew and had reason to know that such visual depiction would be transported and transmitted using any means and facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce, and mailed, and the visual depiction was produced and transmitted using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, and such visual depiction was transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce and mailed, to wit, SHEAFE induced a 14-year-old minor (the "Victim") to engage in sexual conduct with him in Ohio and

used iPhones to make video recordings of such conduct, which SHEAFE then transported from Ohio to Orange County, New York.

(Title 18, United States Code, Sections 2251(a), (e).)

**COUNT TWO**  
**(Possession of Child Pornography)**

2. On or about October 16, 2020, in the Southern District of New York and elsewhere, RYAN MICHAEL SHEAFE, the defendant, knowingly did possess and access with intent to view, and attempt to possess and access with intent to view a book, magazine, periodical, film, videotape, computer disk, and other material that contained an image of child pornography that had been mailed, and shipped and transported using a means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce by any means, including by computer, and that was produced using materials that had been mailed, shipped and transported in and affecting interstate and foreign commerce by any means, including by computer, to wit, SHEAFE possessed images and videos of child pornography on his iPhone located at his residence in Orange County, New York.

(Title 18, United States Code, Sections 2252A(a)(5)(B) and (b)(2).)

**COUNT THREE**  
**(Commission of a Felony Offense  
Involving a Minor by Registered Sex Offender)**

3. On or about November 10, 2019 and on or about October 16, 2020, in the Southern District of New York and elsewhere, RYAN MICHAEL SHEAFE, the defendant, being required by Federal and other law to register as a sex offender, committed a felony offense involving a minor under Title 18, United States Code, Sections 2251(a) and (e) and 2252A(a)(5)(B) and (b)(2), to wit, the violation of Title 18, United States Code, Sections 2251(a) and (e), charged in Count of this Complaint, and the violation of Title 18, United States Code, Sections 2252A(a)(5)(B) and (b)(2), charged in Count Two of this Complaint.

(Title 18, United States Code, Sections 2260A.)

The bases for my knowledge and for the foregoing charges are, in part, as follows:

4. I am a Special Agent with HSI, assigned to the HSI Hudson Valley Resident Agent-in-Charge Office. I have been

a Special Agent with HSI for over 10 years. I have participated in numerous investigations involving crimes against children, including the receipt, possession, and/or distribution of child pornography by electronic means, sexual exploitation, and enticement of minors. I have gained expertise in these areas through training and daily work related to conducting these types of investigations.

5. I have been personally involved in the investigation of this matter. This Affidavit is based on that experience, as well as on my conversations and other communications with law enforcement agents and others, as well as my examination of reports and records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

**SHEAFE's Sex Offender Registration**

6. Based on my communications with other law enforcement officers and my review of criminal history and sexual offender registry records for RYAN MICHAEL SHEAFE, the defendant, I know, among other things, that SHEAFE was previously convicted on or about February 1, 2017 in Montgomery Village Court in Orange County of sexual misconduct for engaging in sexual intercourse with another person without such person's consent, in violation of New York Penal Law § 130.20(1), and was sentenced on that same date to a term of probation of six years. The victim in the case was a 16-year-old girl. I further know that, as a result of the foregoing conviction, SHEAFE is a registered level-three sex offender in the State of New York, and his registered primary address in or about October 2020 was a residence in Maybrook, Orange County, New York ("Residence").

**Initial Seizure of SHEAFE's iPhone and  
Related Investigation**

7. Based on my communications with an Orange County Sheriff's Office ("OSCO") investigator ("OSCO Investigator") and my review of a Montgomery Village Court order setting the conditions of the probation of RYAN MICHAEL SHEAFE, the defendant, I know, among other things, that, pursuant to the conditions of his probation, SHEAFE must permit the Orange County Probation Department ("OCPD") to conduct searches of his person, residence, and any property he owns or can access and to further permit the unannounced examination by a probation

officer, or any designees thereof, of any and all computers and/or other electronic devices to which he has access.

8. Based on my communications with the OCSO Investigator, I know, among other things, that two OCPD officers along with the OCSO Investigator, who routinely accompanies and assists OCPD in conducting home visits, conducted a home visit at the Residence of RYAN MICHAEL SHEAFE, the defendant, on or about October 16, 2020. I further know, among other things, the following regarding the home visit:

a. While conducting the home visit, the law enforcement officers observed SHEAFE attempt to slip an iPhone (the "iPhone") into his pocket undetected.

b. Upon being questioned by the law enforcement officers, SHEAFE claimed, in sum and substance, that he purchased the iPhone on eBay and did not know the passcode to it. The law enforcement officers observed, however, that the locked home screen of the iPhone indicated that it was connected to a local Wi-Fi network.

c. The law enforcement officers further observed a Lenovo laptop computer and a Lenovo desktop computer. Upon being questioned by the law enforcement officers regarding the computers, SHEAFE also claimed, in sum and substance, not to know the passwords for the devices. OCPD seized the computers and the iPhone and left the residence.

d. Later that same day, SHEAFE spoke with the OCPD officers by phone and explained, in sum and substance, that he was nervous about providing the passcode to the iPhone because it contains videos of his girlfriend and him having sex. In doing so, he mentioned the first name of his girlfriend, which is the same first name of the individual identified below as the Victim. He further stated, in sum and substance, that the sex was consensual, that his girlfriend is 19 years-old and goes to Pennsylvania State University, and that she sent him the phone two weeks ago. SHEAFE then provided the OCPD officers with the device's passcode so that they could access the iPhone pursuant to the above-described search condition of SHEAFE's probation.

9. Based on my communications with the OCSO Investigator and my review of OCSO reports and records, I know, among other things, that on or about October 23, 2020, the OCSO Investigator, acting at the direction of OCPD, created a forensic image of the iPhone and began reviewing the contents of the iPhone. I further know the following about what the OCSO

Investigator's review of the iPhone and his related investigation revealed:

a. The iPhone contains numerous images and videos of RYAN MICHAEL SHEAFE, the defendant, engaged in sexual activity, including sexual intercourse and oral sex, with a female, later identified to be the Victim, as set forth below, in multiple settings, including, among others, on what appear to be school grounds and in what appears to be a hotel room.

b. In many of the images and videos, the Victim is completely naked, and her face is visible.

c. Location data for several of the videos indicate that they were taken in or around Copley, Ohio and Akron, Ohio.

d. The Victim appears in multiple other photographs on the iPhone that are not of a sexual nature. In certain of those photographs, braces on her teeth are visible, and in one photograph, she appears to be wearing a green lanyard in which the printed words "high school" are partially visible on it, but the high school name is not.

e. The iPhone further has text messages between SHEAFE and an individual in which the individual makes reference to being sexually involved with SHEAFE. The individual further states in the text messages, in sum and substance, that she will be 18 years-old in three years and can then move out of her home and be with SHEAFE. In the course of these text messages with the individual, SHEAFE at one point responds to the individual, in sum and substance, "I love you," and refers to the individual by the same first and last name of the Victim identified herein.

f. On or about October 26, 2020, based on open-source database information, the OCSO Investigator identified and contacted the mother of the Victim (the "Mother") in Akron, Ohio, and asked if the Victim is her daughter, identifying the Victim by the same name referenced by SHEAFE in the above-described text messages. The Mother responded, in sum and substance, that the Victim was in fact her daughter and confirmed that the Victim is 15 years old.

g. The Mother told the OCSO Investigator about an incident that occurred on or about July 4, 2019 when she went into the Victim's bedroom in their home and saw an unknown adult male laying in the Victim's bed. The Mother further stated, in sum and substance, that she yelled at the male individual, that the Victim's two older brothers then chased him out of their

house, and that, upon talking to the Victim, the Victim told her Mother that the man's name is "Ryan" and that he is 19 years old.

Review of SHEAFE's iPhone

10. Based on my communications with other law enforcement officers and my own participation in this investigation, I know, among other things, that after the OCSO Investigator's conversation with the Mother, the matter regarding RYAN MICHAEL SHEAFE, the defendant, and the Victim was ultimately referred to HSI for further investigation. I further know that, in or about January 2021, the Honorable Paul E. Davison, United States Magistrate Judge for the Southern District of New York, issued a search warrant for SHEAFE's iPhone and the other devices seized by OCPD from his Residence. HSI thereafter accessed and commenced its review and examination of the forensic image of SHEAFE's iPhone.

11. Based on my review of the forensic image of SHEAFE's iPhone, I know, among other things, the following:

a. The iPhone contains, among other things, hundreds of images and videos of the Victim. Consistent with the initial findings of the OCSO Investigator, in many of those images and videos, the Victim is either partially clothed or completely naked with her face visible. Numerous such images and videos show SHEAFE engaged in sexual intercourse and/or oral sex with the Victim. Other such images and videos show the Victim masturbating and touching herself in a sexually suggestive manner.

b. The settings for such images and videos appear to be, among others, the inside of a house, hotel rooms, a park, and the grounds of what appears to be a school.

c. In one particular video, dated on or about August 6, 2020, the Victim can be seen performing oral sex on SHEAFE in what appears to be a hotel room. The location data for that particular video indicates that it was recorded at a hotel on Montrose West Avenue in Akron, Ohio ("Hotel-1").

d. Overall, the iPhone contains approximately 311 images and approximately 111 videos of the Victim that are sexually explicit or sexually suggestive in nature.

e. The iPhone also contains hundreds of text messages exchanged between SHEAFE and an individual who, based on photographs of the Victim sent by such individual to SHEAFE,

I believe to be the Victim. In one such exchange, on or about September 17, 2020, SHEAFE and the Victim discuss their ages, as follows:

*The Victim: don't fucking ever think that way. i don't give a fuck that you're 9 years older than me. when i'm 20 it won't matter and we'll still be doing these things*

*SHEAFE: you don't think it's wrong that i'm 24 and i have a 15 year old taking it from behind in a park at 3:30 in the morning?*

12. Among the numerous videos of the Victim on SHEAFE's iPhone are the following, which I have reviewed:

a. File name "img\_0045.mov": This video is approximately four minutes in duration and, based on the date, location, and other data associated with it, was recorded with an iPhone 10 on or about November 10, 2019 at Hotel-1. The video shows SHEAFE and the Victim in a bathroom, both naked and, at various points, with their faces visible. The Victim is on her knees performing oral sex on SHEAFE, who can be seen in the reflection in the bathroom mirror holding the phone making the recording. Towards the end of the video, the Victim can be seen bending over the toilet as SHEAFE zooms the focus of the video on her vagina and anus.

b. File name "img\_0050.mov": This video is approximately ten minutes in duration and, based on the date, location, and other data associated with it, was recorded with an iPhone 7 Plus on or about November 10, 2019 at Hotel-1. The video shows SHEAFE and the Victim in a hotel room, both naked and, at various points, with their faces visible. The video begins with showing SHEAFE backing away from the camera, appearing as if he had just manipulated the iPhone making the recording, and lying down on a bed, at which point the Victim gets on top of him, and they start to have sex. SHEAFE can be seen holding a second phone and turning it to focus on SHEAFE and the Victim having sex. SHEAFE further can be seen turning on the phone's camera light and fumbling with another button on the phone as he continuously focuses the phone on himself and the Victim having sex. Later in the video, the Victim can be seen performing oral sex on SHEAFE as SHEAFE continues to focus the second phone on the Victim.



Forensic Interview of the Victim

13. Based on my communications with an HSI forensic interviewer, I know, among other things, that, on or about January 14, 2021, the forensic interviewer interviewed the Victim in Ohio. The interview was video-recorded, and I have watched the recording of the interview and reviewed the notes of an Ohio-based HSI special agent ("Agent-1") who was present at the interview location and viewing the interview in real time. Among other things, the Victim stated the following, in substance and in part:

a. As of the date of the interview, the Victim is 15 years old. She met RYAN MICHAEL SHEAFE, the defendant, online and began to correspond with him via Instagram approximately one and half years prior to the interview.

b. A few months after they met, SHEAFE traveled by bus to Akron, Ohio to meet the Victim in person. Overall, SHEAFE traveled to Ohio twice to see the Victim in person -- in or about July 2019 and in or about August 2020.

c. SHEAFE and the Victim have had sex, and videos of SHEAFE and the Victim engaged in sexual activity were taken with the Victim's phone and then were Airdropped to SHEAFE's iPhone, which the Victim claimed was an old phone of hers that she gave to SHEAFE.

d. When shown certain of the sexually explicit images and still shots from sexually explicit videos of the Victim found on SHEAFE's phone, including certain of the above-described videos depicting the Victim and SHEAFE engaged in sexual activity on what appear to be the grounds of a school and at Hotel-1, the Victim confirmed that the female individual in the videos is the Victim and that the male individual in the videos is SHEAFE. With respect to videos recorded at Hotel-1, the Victim confirmed that such videos were taken at a hotel but denied knowing the name or location of the hotel and only noted that it was approximately a 15-minute drive from her home and that she was not involved in checking in because she went in a side door of the hotel and straight to the room where she met SHEAFE. With respect to a video taken on the grounds of what appears to be a school, the Victim confirmed that the building visible is in fact a school but denied knowing the name or location of the school and only noted that it was approximately a five-to-ten-minute walk from her home. The Victim said that she met SHEAFE there twice.



e. SHEAFE stopped contacting the Victim about two to three weeks prior to the interview.

14. Based on my review of the video of the forensic interview and my review of the images and videos found on the iPhone of RYAN MICHAEL SHEAFE, the defendant, I believe that the Victim is the female individual in the images and videos.

15. Based on my communications with Agent-1 and my review of his notes, I know, among other things, that on or about January 14, 2021, the day of the above-described forensic interview of the Victim, Agent-1 spoke with the Mother and the father of the Victim. The Mother reiterated what she had previously told the OCSO Investigator in sum and substance regarding the adult male named "Ryan" being found in bed with the Victim in her home on or about July 4, 2019. The Mother also advised, in sum and substance, that she believes the same adult male visited the Victim again on or about August 6, 2020 because the Victim had asked to go to a friend's house on or about that day for a sleepover and was dropped off. When the Victim asked the Mother to stay a second night, the Mother asked the Victim to take and send a photograph of her with her friend to confirm her whereabouts, and the Victim refused to do so.

#### **Location of the School Close to the Victim's Home**

16. Based on my communications with Agent-1 and my review of photographs taken by Agent-1, I know, among other things, that, subsequent to the above-described forensic interview of the Victim, Agent-1 canvassed the area within a 10-minute walk of the Victim's home for schools with a brick exterior similar to that seen in the video recording on SHEAFE's phone of the Victim and SHEAFE engaged in sexual activity on the grounds of what appears to be a school. Agent-1 located an elementary school (the "Elementary School") with the same brick exterior as seen in the recording and further determined, based on the appearance of the school's door visible in the recording and the various entrances of the "Elementary School," that the video was recorded outside doorway no. "7" of the Elementary School, which is located on the west side the building in an area of the school grounds that is relatively secluded.

#### **SHEAFE's Bus Trips to Akron, Ohio**

17. Based on my review of records obtained from Greyhound Lines, Inc., I know, among other things, that RYAN MICHAEL SHEAFE, the defendant, purchased numerous bus tickets comprising multiple roundtrips from New Paltz, New York to Akron, Ohio between on or about July 2, 2019 and on or about

October 26, 2020. These roundtrips include, among several others, the following:

a. A trip to Akron, Ohio, departing on or about July 2, 2019 and returning on or about July 4, 2019 -- i.e., the same day the Victim's Mother found the adult male named "Ryan" in bed with the Victim in her home;

b. A trip to Akron, Ohio, departing on or about November 7, 2019 and returning on or about November 11, 2020 -- i.e., the same time period in which the November 10, 2019 videos described in paragraph 12, above, were recorded at Hotel-1; and

c. A trip to Akron, Ohio, departing on or about August 5, 2020 with a return trip on or about August 8, 2020 -- i.e., the same time period in which the August 6, 2020 video described in paragraph 11, above, was recorded at Hotel-1.

18. Based on my review of criminal history records relating to RYAN MICHAEL SHEAFE, the defendant, I know, among other things, that SHEAFE is currently 26 years old and was 23 years old in or about July 2019 and in or about November 2019 and 24 years old in or about August and September 2020.

WHEREFORE, I respectfully request that a warrant be issued for the arrest of RYAN MICHAEL SHEAFE, the defendant, and that he be arrested, and imprisoned or bailed, as the case may be.

/s/ Keri Waldem (credential inspected)

KERI WALDEN (via Microsoft Teams and ATT conference)  
Special Agent  
Homeland Security Investigations

Sworn to me through the transmission of this Complaint by reliable electronic means, this 23 day of March, 2022.



THE HONORABLE PAUL E. DAVISON  
United States Magistrate Judge  
Southern District of New York